

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TAO AN, CHUNGANG GUAN, )  
CUI QINGYUN, HUIMIN LIN, )  
BEILE LI, YANMING WANG, )  
TAO ZHENG, ZHENG HU ) Case No. 1:22-CV-10060  
YUAN CAO, LINWAN FENG, )  
)  
Plaintiffs, ) Judge Andrew L. Carter, Jr.  
v. )  
)  
WEIJIAN SHAN, )  
BO LEILEI SHAN, )  
)  
Defendants. )  
)

**PLAINTIFFS' RESPONSE TO ORDER TO SHOW CAUSE OF OCTOBER 11, 2024**

Judge Andrew Carter issued an order dated October 11, 2024 for the Plaintiff to “**SHOW CAUSE** on or before on or before October 18, 2024 as to why the Court should not consider the Defendants’ request for attorneys’ fees unopposed.”

Although the Defendants have claimed that the Plaintiffs did not oppose the Defendants' request for attorney's fees, this is simply not correct. In fact, the Plaintiffs have filed two (2) memoranda opposing the Defendants' request for attorney's fees: the first memorandum (appearing on the docket at #37) dealt with the law and legal arguments pertaining to the claim, and whether the Defendants should be granted the requested relief, and; the second memorandum (appearing on the docket at #53) dealt with the insufficiency and/or lack of evidentiary support for the amount which the Defendants subsequently claimed in their request for attorney's fees, and supplemental issues relevant to the overall analysis.

The Plaintiffs' first memorandum (#37 on the docket) was filed on March 8, 2023 in opposition to the Defendants' motion for sanctions against Plaintiffs and Plaintiffs' counsel. Hereinafter referred to as "Plaintiffs' First Memorandum," attached hereto as "Exhibit 1". Plaintiffs' First Memorandum dealt with the law on Rule 11, and challenged the Defendants' arguments presented in their motion papers by using controlling case law, and analysis of the circumstances.

The Defendants subsequently submitted additional papers which were submitted to support their claim that they are entitled to legal fees in excess of \$300,000, and Plaintiffs' Counsel responded in kind with the filing of the "Plaintiffs' Memorandum In Response To Defendants' Application for Fees and Costs", which is #53 on the docket. A copy of #53 is attached hereto as "Exhibit 2".

It appears that a portion of the document description on the Docket for #53 was inaccurate, because at one point it refers to being responsive to document #46, and then references being responsive to document #48. The reference to document #46 was erroneous. Regardless, the title of the document itself makes it clear that it was prepared and filed in opposition to the Defendants' motion brought "pursuant to Rule 11."

We thank Your Honor for your consideration.

Dated: October 18, 2024

Counsel for the Plaintiffs



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